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7 Mercedes-Benz USA, LLC & Daimler Finance North
America LLC
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 ULRICH SCHELE,

14 Plaintiff,

15 v.

16 MERCEDES-BENZ USA, LLC and
17 DAIMLER FINANCE NORTH AMERICA
LLC,

18 Defendants.
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Case No. 3:10-cv-01643-RS

**JOINT STIPULATION AND
[PROPOSED] ORDER CONTINUING
INITIAL CMC AND HEARING DATE
ON DEFENDANTS' MOTION TO
DISMISS (Dkt. No. 22)**

JOINT STIP AND [PROPOSED] ORDER
CONTINUING INITIAL CMC AND
HEARING ON MTN TO DISMISS

CASE NO. 3:10-CV-01643-RS

1 IT IS HEREBY STIPULATED that the Initial Case Management Conference currently set
2 for February 17, 2011, should be continued until after this Court issues a ruling on Defendants'
3 Motion to Dismiss (Dkt. No. 22), to the extent any such conference is needed at that time, and
4 that the date for the hearing on Mercedes-Benz USA LLC's ("Mercedes-Benz") and Daimler
5 Finance North America LLC's ("Daimler Finance") ("Defendants") Motion to Dismiss, originally
6 filed as Dkt. No. 22, shall be changed from February 3, 2011 to February 17, 2011.

7 Currently, the Initial Case Management Conference in this case is set for February 17,
8 2011. *Pro se* Plaintiff Ulrich Schele's ("Plaintiff") and Defendants agree that until the Court
9 issues an order on Defendants' Motion to Dismiss any Initial Case Management Conference
10 would be premature and would result in needless consumption of the Court's time and resources
11 and the time and resources of the Parties. Accordingly, Plaintiff and Defendants stipulate and
12 respectfully request that this Court continue the date of the Initial Case Management Conference
13 until after it issues a ruling on Defendants' Motion to Dismiss, to the extent any conference is still
14 necessary at that time.

15 Also, Plaintiff requests that the date for the hearing on Defendants' Motion to Dismiss be
16 continued until February 17, 2011. Pursuant to Plaintiff's previous request for an extension,
17 Defendants renoticed the hearing date for their Motion from January 6, 2011 to January 20, 2011.
18 Dkt. No. 26. Then, pursuant to Plaintiff's second request, Defendants stipulated to and this Court
19 granted an additional continuance until February 3, 2011. Dkt. No. 29. Plaintiff has again
20 requested, due to issues related to his travel from France for the hearing, that the date of the
21 hearing for Defendants' Motion to Dismiss be moved one final time to February 17, 2011.
22 Accordingly, the Parties stipulate and request that the hearing date for Defendants' Motion to
23 Dismiss (Dkt. No. 22), be moved from February 3, 2011 to February 17, 2011.

1 Dated this 12th day of January 2011.

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3 ULRICH SCHELE

FENWICK & WEST LLP

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5 By: /s/ Ulrich Schele

6 Ulrich Schele (Pro Se)

By: /s/ Jedediah Wakefield

Jedediah Wakefield

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8 Attorneys for Defendants
9 Mercedes-Benz USA, LLC & Daimler
10 Finance North America LLC

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12 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

13 I, Jedediah Wakefield, attest that concurrence in the filing of this document has been
14 obtained from any signatories indicated by a "confirmed" signature (/s/) within this e-filed
15 document.

16
17 DATED: January 12, 2011

/s/ Jedediah Wakefield

Jedediah Wakefield

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19
20 **~~PROPOSED~~ ORDER**

21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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23
24 Dated: January 12, 2011

By: 

Honorable Richard Seeborg